

CREAM AND MILK

3917. Adulteration of cream. U. S. v. 1 10-gallon Can of Cream. Default decree of condemnation and destruction. (F. D. C. No. 8021. Sample No. 15201-F.)

On July 9, 1942, the United States attorney for the District of Colorado filed a libel against 1 10-gallon can of cream at Denver, Colo., alleging that the article had been shipped in interstate commerce on or about July 4, 1942, by W. E. Thompson from Sheridan, Wyo.; and charging that it was adulterated in that it consisted in whole or in part of a filthy, decomposed, or putrid animal substance.

On July 9, 1942, the consignee having consented to the entry of an order for immediate destruction of the product, judgment was entered ordering that it be destroyed.

3918. Adulteration of cream. U. S. v. 2 5-Gallon Cans of Cream. Consent decree of condemnation and destruction. (F. D. C. No. 8122. Sample Nos. 15203-F, 15204-F.)

On July 9, 1942, the United States attorney for the District of Colorado filed a libel against 2 5-gallon cans of cream at Denver, Colo., alleging that the article had been shipped in interstate commerce, one can on or about July 4, 1942, by Richard Daugherty, from Alliance, Nebr., and the other can on or about July 5, 1942, by Roy Livingood, Kanorado, Kans.; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed animal substance.

On July 9, 1942, the consignee having admitted the allegations of the libel, judgment of condemnation was entered and the product ordered destroyed.

3919. Misbranding of Avoset Stabilized Cream. U. S. v. 199 Cases of Avoset. Default decree of condemnation. Product ordered destroyed or delivered to a public institution. (F. D. C. No. 7859. Sample No. 61942-E.)

On July 6, 1942, the United States attorney for the District of Oregon filed a libel against 199 cases, each containing 36 half-pint bottles of the above-named product at Portland, Oreg., alleging that the article had been shipped in interstate commerce on or about May 18, 1942, by Avoset, Inc., from San Francisco, Calif.; and charging that it was misbranded.

The article was alleged to be misbranded in that the statement "30 Per Cent Butterfat," appearing in the labeling, was false and misleading, since it contained less than 30 percent of butterfat; and in that the statement "Stabilized Cream It Keeps," appearing in the labeling, was false, since it suggested that stabilization would keep the article from spoiling, and that it would keep until used, whereas stabilization would not keep it from spoiling and the article would not keep until used, but, after opening, must be kept under refrigeration.

On August 10, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed or delivered to a public institution.

3920. Adulteration of dry skim milk. U. S. v. 134 Drums of Dry Skim Milk. Consent decree of condemnation. Product released under bond for reprocessing for animal feed. (F. D. C. No. 7574. Sample No. 83524-E.)

This product was packed in second-hand shortening drums which contained greasy, gritty material, and had a rancid odor. It contained rodent hairs and nondescript dirt.

On June 22, 1942, the United States attorney for the Northern District of Texas filed a libel against 134 drums of dry skim milk at Fort Worth, Tex., alleging that the article had been shipped in interstate commerce on or about March 29, 1942, by Clark's Dairy from Grand Rapids, Mich.; and charging that it was adulterated in that it consisted wholly or in part of a filthy substance, and in that it had been packed under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "Roller Process Dry Skim Milk."

On August 3, 1942, the Otsego Sanitary Milk Products Co., Otsego, Mich., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for reprocessing under the supervision of the Food and Drug Administration and disposal as animal feed.

EGGS

Nos. 3921 to 3927 report the seizure and disposition of frozen eggs that were in whole or in part decomposed.

3921. Adulteration of frozen eggs. U. S. v. 500 Cans of Frozen Eggs. Consent decree of condemnation. Product ordered released under bond for sorting the sound from the unsound. (F. D. C. No. 7849. Sample No. 85692-E.)

On July 2, 1942, the United States attorney for the Western District of Washington filed a libel against 500 cans of frozen eggs at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about June 9, 1942, by the Fairmont Creamery Co. from Dodge City, Kans.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Fancy Fairmont Frozen Fresh Eggs."

On August 10, 1942, the Fairmont Creamery Co., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond conditioned that the sound portion be separated from the unsound portion and that both be disposed of under the supervision of the Food and Drug Administration. The unsound portion was destroyed.

3922. Adulteration of frozen whole eggs. U. S. v. 45 Cans of Frozen Whole Eggs. Default decree of condemnation and destruction. F. D. C. No. 7900. Sample No. 17761-F.)

On July 15, 1942, the United States attorney for the Southern District of New York filed a libel against 45 30-pound cans of frozen whole eggs at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about January 12, 1942, from Pittsburgh, Pa., by the Federal Cold Storage Co.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On August 25, 1942, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

3923. Adulteration of frozen whole eggs. U. S. v. 500 Cases of Frozen Eggs. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 7926. Sample No. 12701-F.)

On July 15, 1942, the United States attorney for the Eastern District of Washington filed a libel against 500 cases of frozen eggs at Spokane, Wash., alleging that the article had been shipped in interstate commerce on or about June 15, 1942, by Fergus County Creamery, from Lewistown, Mont.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On July 29, 1942, Fergus County Creamery of Lewistown, Mont., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be brought into compliance with the law under the supervision of the Food and Drug Administration. The cans containing decomposed eggs were destroyed.

3924. Adulteration of frozen eggs. U. S. v. 138 Cans of Frozen Eggs. Consent decree of condemnation. Product ordered released under bond for segregation and destruction of unfit portion. (F. D. C. No. 7846. Sample No. 89657-E.)

On July 2, 1942, the United States attorney for the Southern District of New York filed a libel against 138 cans of frozen eggs at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about June 15, 1942, by Sam Pollman Produce Co. from Kansas City, Mo.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On July 15, 1942, the Middlewest Distributors of Frozen Eggs, Inc., New York, N. Y., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and it was ordered that the product be released under bond conditioned that the portion unfit for human consumption be segregated under the supervision of the Food and Drug Administration and destroyed.

3925. Adulteration of frozen eggs. U. S. v. 1,260 Cans of Frozen Eggs. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 7848. Sample Nos. 85691-E, 93168-E to 93170-E, incl.)

On July 6, 1942, the United States attorney for the Eastern District of Washington filed a libel against 1,260 cans of frozen eggs at Spokane, Wash., alleging that the article had been shipped in interstate commerce within the period from on or about May 21 to on or about June 1, 1942, by Nampa Creamery Co. from Nampa, Idaho; and charging that it was adulterated in that it consisted in whole